

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 WAYNE JEFFERY VILLINES,

Case No.: 2:20-cv-00099-APG-BNW

4 Plaintiff

Order Dismissing Case

5 v.

6 NYE COUNTY SHERIFF DEPARTMENT,
7 et al.,

8 Defendants

9 On July 20, 2021, Magistrate Judge Weksler recommended that I dismiss with prejudice
10 plaintiff Wayne Villines' claims under the Fifth and Sixth Amendment and his Fourth
11 Amendment false arrest claim. ECF No. 7. She also recommended that I dismiss Villines'
12 remaining claims without prejudice. *Id.* Villines did not object. Consequently, I accepted Judge
13 Weksler's report and recommendation, dismissed Villines' claims for violation of his right to
14 counsel under the Fifth and Sixth Amendments and for false arrest under the Fourth Amendment
15 with prejudice, and dismissed his remaining claims without prejudice. ECF No. 9. I gave
16 Villines until October 13, 2021 to file an amended complaint. *Id.* I warned him that failure to
17 file an amended complaint by that date would result in dismissal of all remaining claims without
18 prejudice. Villines did not file an amended complaint.

19 I THEREFORE ORDER that plaintiff Wayne Villines' claims for violation of his right to
20 counsel under the Fifth and Sixth Amendments and for false arrest under the Fourth Amendment
21 are dismissed with prejudice and his remaining claims are dismissed without prejudice. The
22 clerk of court is instructed to enter judgment accordingly and to close this case.

23 DATED this 22nd day of October, 2021.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE